

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE**

MEMORANDUM

TO: All County Prosecutors
All Chief Law Enforcement Executives

FROM: Hester Agudosi *HA/CA*
Supervising Deputy Attorney General, Division of Criminal Justice

DATE: March 5, 2012

SUBJECT: Daylight Savings Time Memo

Please be advised that due to a typographical error reflected in my prior memo of February 17, 2012 I am re-issuing the attached "Daylight Savings" memo. As properly noted, the governing time period is from **March 11, 2012 to April 1, 2012.**



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

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JEFFREY S. CHIESA
Attorney General

STEPHEN J. TAYLOR
Director

March 5, 2012

TO: All County Prosecutors
Colonel Joseph Fuentes, Superintendent, NJSP
All Municipal Prosecutors
All Law Enforcement Executives

**Re: Temporary Procedure for Evidential Breath Tests
Utilizing Alcotest Instrument for
Daylight Savings Time Period March 11-April 1, 2012**

In 2005, President Bush signed the Energy Policy Act of 2005, 42 U.S.C. sec. 15801. This Act, the relevant portion of which is attached, changes the dates of Daylight Savings Time effective 2007. As a result, Daylight Savings Time will begin on the second Sunday in March (March 11, 2012) instead of the first Sunday in April (April 1, 2012).

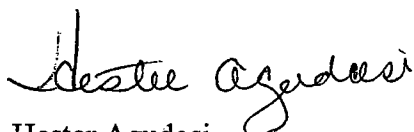
The Alcotest 7110 MKIII-C New Jersey firmware version 3.11 is configured to automatically convert to Daylight Savings Time based on the pre-2007 timetable. Therefore, instead of changing to Daylight Savings Time on March 11, 2012, the Alcotest 7110 MK III-C will change on April 1, 2012. Prior to April 1, 2012, the instrument will continue to record all times, both printed and electronic, with an "S" suffix, indicating Standard Time. At 02:00 on April 1, 2012, the instrument's time recording will automatically change to a "D" suffix, indicating Daylight Savings Time.

The instrument's recordation of Standard Time rather than Daylight Savings Time does not affect the method of analysis or the accuracy of the readings. All current procedures for the processing of arrested intoxicated drivers are to continue, including the 20 minute observation period currently part of the regular protocol. However, because the Alcotest is set to read in Standard Time during that period of time, Breath Test Operators should enter the time of arrest in the Alcotest instrument in Standard Time (one hour earlier than Daylight Savings Time). Entries on all other documents related to the arrest (e.g., police reports) should reflect Daylight Savings Time effective March 11, 2012.



Please inform all local law enforcement personnel to direct any questions regarding the implementation of this interim procedure to their respective County Prosecutor's Office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Hester Agudosi".

Hester Agudosi
Chief, Prosecutors Supervision and
Coordination Bureau

c: A/Lt. Patrick Guilfoy, Unit Head, NJSP Alcohol & Drug Testing Unit ✓
Traffic Records Unit, Criminal Justice Records Bureau, NJSP
Dr. Howard Baum, Ph.D., Director, NJSP Office of Forensic Science